

**10 DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**148 OFFICE OF CHILD AND FAMILY SERVICES**

**Chapter 21: RULES FOR THE PROVISION OF ROOM AND BOARD  
PAYMENTS FOR RESIDENTIAL PROGRAMS SERVING  
CHILDREN  
EMERGENCY MAJOR SUBSTANTIVE RULE**

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**SECTION 1: PURPOSE**

To provide reimbursement methods and requirements within the available funds, to ensure that the payments are reasonable and consistently applied to like programs while meeting the needs of the children in the facility.

**SECTION 2: LEGAL BASE**

The authority of the Department of Human Services to accept and administer funds that may be available from state and federal sources for the provision of residential services is contained in Title 22 MRSA, Subchapter VII, Section 4062.

This policy is effective January 1, 2001.

**SECTION 3: DEFINITIONS**

- A. "BCFS" or "Bureau" means the Bureau of Child and Family Services.
- B. "BMS" means the Bureau of Medical Services.
- C. "Contract" means a written document which sets forth the duties and obligations of the Bureau of Child & Family Services and the Provider.
- D. "DHS" means the Department of Human Services.
- E. "Guidelines" mean the Guidelines for Rate Determination of Children's Residential Facilities.
- F. "PNMI" means Private Non-Medical Institution, which are federal funds administered by the Bureau of Medical Services.
- G. "Provider" means a private corporation with which the BCFS has established a contract to purchase services.
- H. "Room and Board" means those services essential to meet the basic physical, social and biological needs of the child. For facilities ineligible to receive PNMI funds, Room & Board funds may also be used to fund treatment costs.

**SECTION 4: CONTRACT DEVELOPMENT**

- A. The Bureau shall purchase services from licensed providers through a contract administered by the Community Services Center, Division of Contracted

Community Services, unless an exception is approved.

B. Contracts shall include the rate which shall be established by the most current guidelines for rate setting for children's residential programs and will thereafter be periodically reviewed. Additionally, contracts shall include applicable caps on costs, the expectations for services to be provided, the settlement process, and any other provisions that are appropriate.

C. Contracts are non-encumbered and are reimbursed on a daily rate per-child basis.

D. Contracts shall have an open termination date and are considered to be in effect unless officially terminated.

E. Contract amendments shall be made in writing and signed by all parties.

F. Revised rates will be stipulated by letter from the BCFS.

## **SECTION 5: ROOM AND BOARD RATE: Effective March 15, 2020**

The Office of Child & Family Services shall provide Room and Board payments to PNMI's governed by Appendix D of 10-144 C.M.R. Ch. 101 (the MaineCare Benefits Manual) Ch. II and III, Section 97 in Maine in the amount of \$109.00 per occupied bed day. This rate is effective March 1, 2020 and expires May 31, 2020.

## **SECTION 6: PAYMENTS AND BILLING PROCEDURES**

### **A. Routine Payments**

1. Payments shall be made according to the established rate as set forth in Section 5 above and upon the authorization of the placement by the DHS Caseworker
2. Payments shall be made for the day of admission into the program but not the day of discharge

### **B. Adjustments**

1. Overpayments due to revised rates shall be either
  - a. Deducted from future payments immediately or according to a schedule approved by the Bureau Residential Services Manager in conjunction with the Financial Manager
  - b. Repaid by the Provider as a lump sum payment within one month
2. Repayment refusal by the Provider may result in the suspension of the contract
3. Underpayments shall be made to the Provider within one month.
4. The Provider shall submit to BCFS Reconciliation Reports every calendar quarter (due one month after the end of the quarter) based upon services provided. The Bureau provides a standard format for the Providers to use.
5. Reimbursement shall not be made to the Provider for services that are over one year old.
6. Providers may seek a review of the repayment plan established by the Bureau by contacting the Director, Division of Operations